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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,

10 Respondent,

No. 2:04-cr-0019 MCE JFM

11 vs.

12 RODNEY BUTLER,

13 Movant.

ORDER

14 _____/
15 Movant, a federal prisoner proceeding pro se, has filed a motion to vacate, set
16 aside, or correct his sentence pursuant to 28 U.S.C. § 2255. The matter was referred to a United
17 States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

18 On June 27, 2012, the magistrate judge filed findings and recommendations
19 herein (ECF No. 125) which were served on all parties and which contained notice to all parties
20 that any objections to the findings and recommendations were to be filed within fourteen days.
21 Movant has filed objections to the findings and recommendations.


22 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule
23 304, this Court has conducted a de novo review of this case. Having carefully reviewed the
24 entire file, the court finds the findings and recommendations to be supported by the record and by
25 proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed June 27, 2012, are ADOPTED IN FULL;
2. Respondent's February 4, 2012, motion to dismiss is GRANTED;
3. Movant's September 19, 2011, amended motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 is DISMISSED;
4. The district court declines to issue a certificate of appealability; and
5. The Clerk of the Court is directed to close this case and the companion civil case, No. 2:11-cv-2500 MCE JFM.

Dated: August 23, 2012


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE